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EMC MORTGAGE CORPORATION

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
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12 JAE DONG JUN, AKIHITO TAKAMURA, and
LEO TAKAMURA,

13 Plaintiffs,

14 vs.

15 EMC MORTGAGE COMPANY, and DOES 1-10,
16 Defendants.
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Case No.: 07-cv-06281 MMC

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF EMC MORTGAGE
CORPORATION'S MOTION FOR
SUMMARY JUDGMENT**

Date: September 5, 2008
Time: 9:00 a.m.
Dept.: 7
Judge: Hon. Maxine M. Chesney

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19 Pursuant to Rule 201 of the Federal Rules of Evidence, which allows a court to take judicial
20 notice of public records (*see Disabled Rights Action Committee v. Las Vegas Events, Inc.*, 375 F.3d
21 861, 866, n.1 (9th Cir. 2004)), defendant EMC Mortgage Corporation requests that the Court take
22 judicial notice of the following documents, which are public records that were duly recorded in the
23 Official Records of San Mateo County:

24 1. The Deed of Trust dated August 8, 2003, signed by plaintiffs Jae Dong Jun, Akihito
25 Takamura, and Leo Takamura, which encumbers the real property located at 151 Goodwin Drive,
26 San Bruno, CA 94066 (the "Property"), and which was recorded on August 28, 2003, as Instrument
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1 No. 2003-246003 in the Official Records of San Mateo County. A true and correct copy of this
2 deed of trust is attached hereto as Exhibit A.

3 2. The Notice of Default and Election to Sell Under Deed of Trust which was recorded
4 against the Property on December 21, 2005, as Instrument No. 2005-222414 in the Official Records
5 of San Mateo County. A true and correct copy of this notice of default is attached hereto as
6 Exhibit B.

7 3. The Notice of Trustee's Sale recorded against the Property on September 19, 2006,
8 as Instrument No. 2006-141659 in the Official Records of San Mateo County. A true and correct
9 copy of this notice of trustee's sale is attached hereto as Exhibit C.

10 4. The Trustee's Deed Upon Sale recorded on March 21, 2007. as Instrument
11 No. 2007-043100 in the Official Records of San Mateo County, and which conveyed title to the
12 Property to Daniel J. Rosenbledt, Trustee of the Rosenbledt Pie Trust. A true and correct copy of
13 this trustee's deed upon sale is attached hereto as Exhibit D.

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15 DATED: July 25, 2008

SEVERSON & WERSON
A Professional Corporation

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18 By: /s/ Erik Kemp
Erik Kemp

19 Attorneys for Defendant
20 EMC MORTGAGE CORPORATION, sued
21 incorrectly herein as EMC Mortgage Company
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